

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAKEEN DEMARIO WILSON,

Defendant.

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No. 3:23-CR-37-KAC-DCP

**MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Jakeen Wilson's Motion to Continue Trial Date and Relevant Deadlines [Doc. 21], filed on May 22, 2023.

In his motion, Defendant Wilson asks the Court to continue the June 20, 2023 trial date and related deadlines. Counsel for Defendant states that she has been involved in a good faith effort to resolve Defendant's case but needs additional time to communicate with Defendant regarding factual and legal issues involved in the case and discuss the filing of potential motions. Counsel also requests time to confer with the Government regarding a potential resolution of this matter. Counsel avers that granting a continuance will permit the parties to make a full resolution of the matter and serve the ends of justice in that the need for additional time to properly prepare the case outweighs the best interests of the public and Defendant in a speedy trial. The right to a speedy trial has been explained to Defendant, who is detained pending trial and understands that the period of time between the filing of the instant motion and a rescheduled trial date would be fully excludable for speedy trial purposes. Defense counsel relates that she has spoken with counsel for the Government, who does not oppose the requested continuance.

Based upon the information provided by Defendant in his motion and the lack of opposition by the Government, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that failing to grant a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Counsel needs additional time to meet with Defendant, who is detained pending trial, to discuss legal and factual matters involved in the case and determine whether any pretrial motions are necessary. Counsel also needs additional time to confer with the Government as to a potential resolution of this case and prepare for trial in the event negotiations are not fruitful. All of this cannot be done by the June 20, 2023 trial date.

The Court therefore **GRANTS** Defendant Wilson’s Motion to Continue Trial Date and Relevant Deadlines [**Doc. 21**]. The trial of this case is reset to **September 26, 2023**. A new, comprehensive, trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial, all of the time between the filing of the motion on May 22, 2023, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), -(h)(7)(A)–(B).

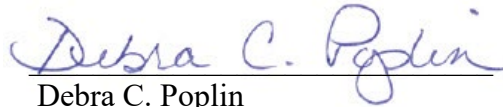
Accordingly, it is **ORDERED** as follows:

- (1) Defendant Wilson’s Motion to Continue Trial Date and Relevant Deadlines [**Doc. 21**] is **GRANTED**;
- (2) The trial of this matter is reset to commence on **September 26, 2023, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;

- (3) All time between the filing of the motion on **May 22, 2023**, and the new trial date of **September 26, 2023**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) The deadline for filing pretrial motions is extended to **June 26, 2023**. Responses to motions are due on or before **July 10, 2023**;
- (5) The deadline for filing a plea agreement in the record and providing reciprocal discovery is **August 25, 2023**;
- (6) The deadline for filing motions *in limine* is **September 11, 2023**;
- (7) The parties are to appear before the undersigned for a final pretrial conference on **September 13, 2023, at 10:00 a.m.**; and
- (8) Requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **September 26, 2023**.

**IT IS SO ORDERED.**

ENTER:



Debra C. Poplin  
United States Magistrate Judge